IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: Richard D. Martin et al.			
Conf. No.:	9008	Group Art Unit:	2154
Appln. No.:	09/923,923	Examiner:	Mohammad A. Siddiqi
Filing Date:	August 7, 2001	Attorney Docket No.:	401-13U1
Title:	SYNDICATION METHODOLOGY TO DYNAMICALLY PLACE DIGITAL ASSETS ON NON-RELATED WEB SITES		

DECLARATION OF PRIOR INVENTION TO OVERCOME CITED PATENT (37 CFR § 1.131)

PURPOSE OF DECLARATION

This declaration is being submitted to establish completion of the invention in this application in the United States at a date prior to July 15, 2000, which is the earliest effective date of the prior art U.S. Patent No. 6,826,594 (Pettersen), which was cited and applied by the Examiner in an Office Action dated August 7, 2006.

The persons making this declaration are the inventors, and are thus qualified to submit this declaration under 37 CFR § 1.131.

FACTS AND DOCUMENTARY EVIDENCE

To establish the date of completion of the invention of this patent application, copies of the following documents and supporting statements are submitted as evidence:

Documents

EXHIBIT 1: Syndication Source Code shown in Appendix A (pages A1-A8) of the present specification. Reference to the original specification should be made for a copy of Exhibit 1. A separate copy is not enclosed.

EXHIBIT 2: Document entitled "Affiliate Setup Instructions."

EXHBIT 3: Screen shot printout of a file folder that contains the document in Exhibit 2.

Supporting statements

1. The source code in Appendix A of the present specification was created prior to July 15, 2000, as evidenced by the last changed date on page A1 of 11/9/99.

2. The Affiliate Setup Instructions in Exhibit 2 were created prior to July 15, 2000, as evidenced by the 2/3/2000 "Date Modified" field shown on the associated .doc file in Exhibit 3. The syndication process described in the Affiliate Setup Instructions uses the source code in Appendix A.

3. Execution of the source code in Appendix A will implement the claimed invention and the jSyndicate code shown in the Affiliate Setup Instructions implements the claimed invention. That is, each pending claim limitation is supported by documentation that is dated prior to July 15, 2000.

From the attached documents and the supporting statements, we submit that it has been established that the invention in this application was made prior to July 15, 2000, which is the earliest effective date of Pettersen.

TIME OF PRESENTATION OF THE DECLARATION

This declaration is submitted prior to final rejection.

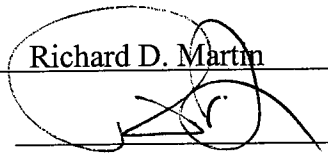
DECLARATION

As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES

Full name of sole inventor, if any Richard D. Martin

Inventor's Signature 

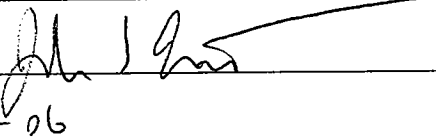
Date 12-28-06

Residence Bethlehem, Pennsylvania

Citizenship United States of America

Post Office Address 4646 Virginia Drive, Bethlehem, Pennsylvania 18017

Full name of second joint inventor, if any John E. Wetzel

Inventor's Signature 

Date 12-29-06

Residence Bath, Pennsylvania

Citizenship United States of America

Post Office Address 313 South Egg Road, Bath, Pennsylvania 18014

EXHIBIT 1

(Reply to Office Action of August 7, 2006 - "Declaration of Prior Invention...")
for U.S. Application No. 09/923,923)

See Appendix A (pages A1-A8 of the present specification)

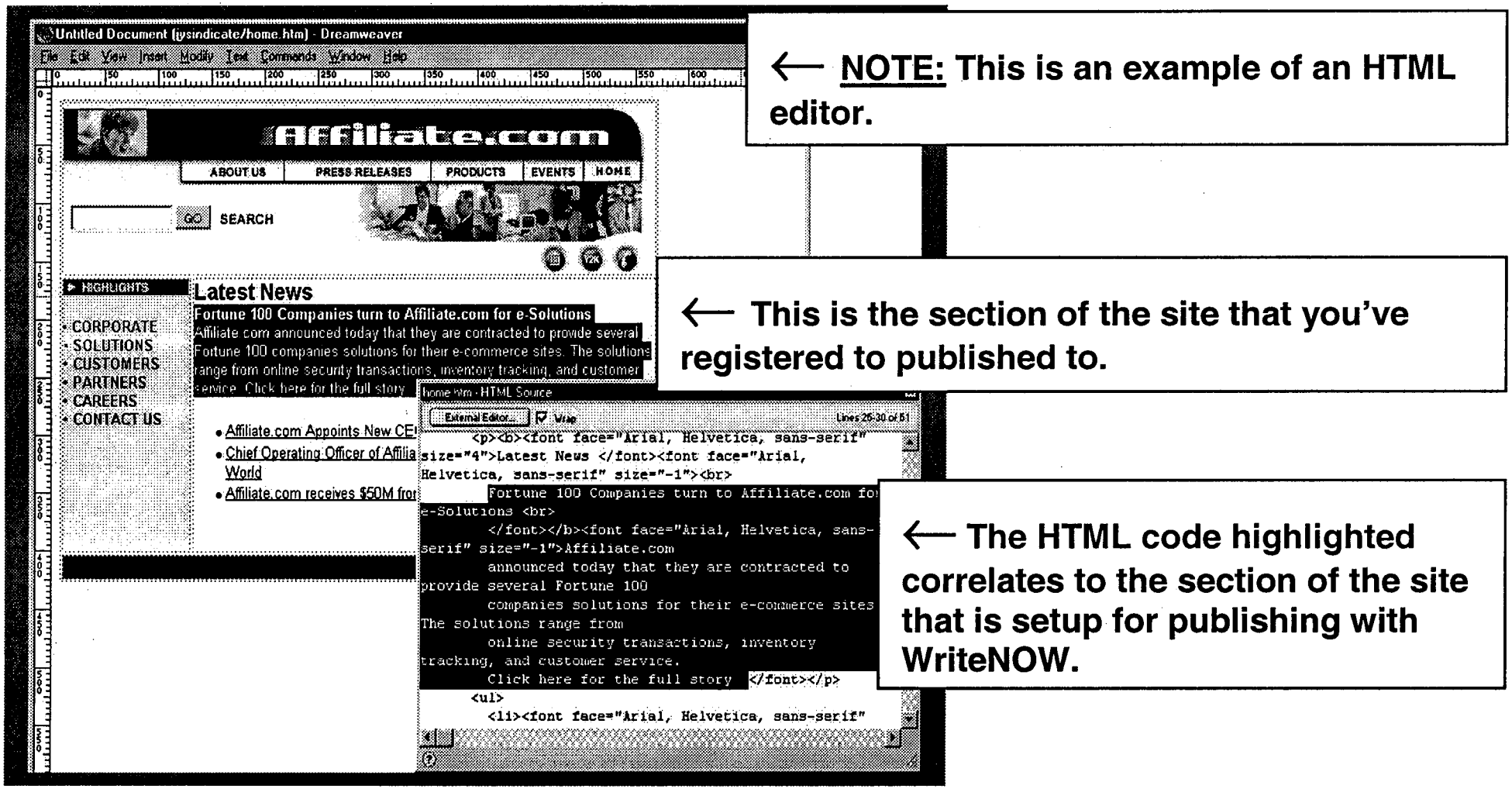
RNCi
REGIONAL NETWORK COMMUNICATIONS, INC

Affiliate Setup Instructions

Listed below are the steps to assist you in setting up the jSyndicate code (Java Script code) that will allow you to begin publishing content to your site.

Step 1: Locate the file on your site that you wish to publish to

Launch your HTML editor and locate the file that you've registered to publish to.



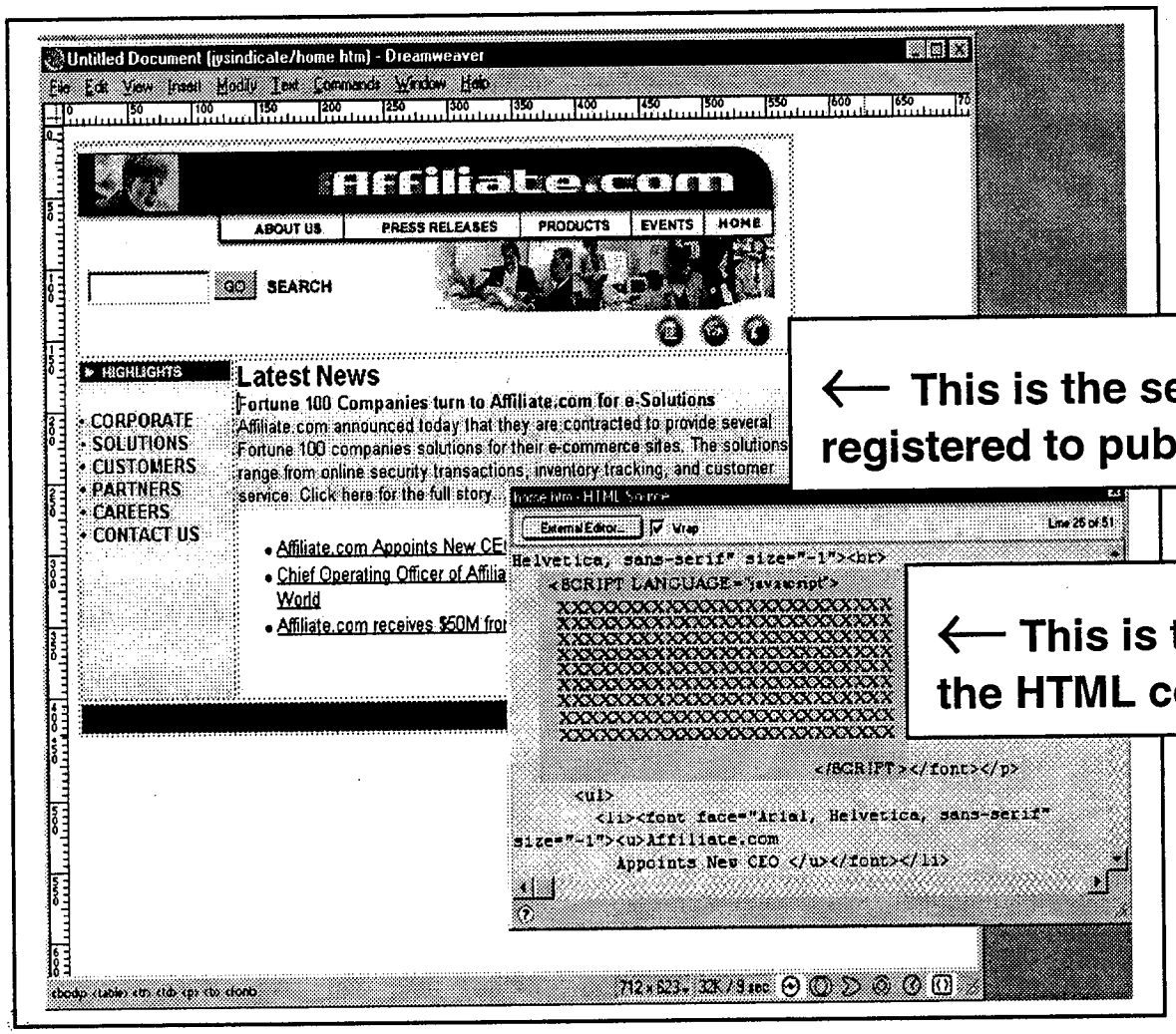
← **NOTE: This is an example of an HTML editor.**

← **This is the section of the site that you've registered to published to.**

← **The HTML code highlighted correlates to the section of the site that is setup for publishing with WriteNOW.**

Step 2: Replace the HTML code with the jSyndicate code

While in your HTML editor, remove the flat HTML code and replace it with the jSyndicate code, please refer to the reverse-side of this document for the jSyndicate code. This setup phase only needs to be done once. **NOTE:** If you do not want to remove the current content within this section, but would like to add content to this section, simply place the jSyndicate code after the HTML code.



← This is the section of the site that you've registered to published to.

← This is the jSyndicate code that replaces the HTML code that's displayed in Step 1.

Technical Support is available 8:30 AM PM (EST), Monday – Friday (except ho via e-mail at: support@RNCi.com, or ca RNCi at: 1.888.865.7624.

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Affiliate Setup Instructions

Welcome to the RNCi Affiliate Program! Congratulations...you are on your way to easy content publishing on the web. Below you will find the information necessary to use the FREE Online Content Publishing Tool, WriteNOW.

Business/Organization Name: _____
Your User ID: _____
Your Password: _____
Your E-mail: _____

Below are the files that you've selected to publish to. Before you can begin to publish with the WriteNOW software, you must first setup your files through your HTML editor. You will need to replace the flat HTML code with the jSyndicate code (java script code), that is supplied below, for each file you have registered. *For detailed step-by-step instructions on how to setup your pages with jSyndicate, please refer to the back of this document.*

Once the files of your site have been setup, you will login to the WriteNOW software with the above User ID and Password. After login, you will type in the "section" name, upload a file, and your e-mail address. This information will replace/update the content that currently resides in this section of your site. If you have an outside Internet firm who maintains your web site, please provide this information to them. The RNCi Customer Service Team is also available to help you setup your pages, an hourly charge will be billed.

File 1: _____
jSyndicate Code:
_____
_____
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_____
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File 2: _____
jSyndicate Code:
_____
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_____
_____
_____
_____

File 3: _____
jSyndicate Code:
_____
_____
_____
_____
_____
_____

www.RNCi.com
190 Brodhead Road, Suite 300, Bethlehem, PA 18017
Phone: 610.997.8100 * Fax: 610.866.7899 * E-mail: info@RNCi.com

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EXHIBIT 3 (page 1 of 2)

(Reply to Office Action of August 7, 2006 - "Declaration of Prior Invention…")
for U.S. Application No. 09/923,923)

EXHIBIT 3 (page 2 of 2)

(Reply to Office Action of August 7, 2006 - "Declaration of Prior Invention…")
for U.S. Application No. 09/923,923)